

**United States District Court
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Alexsam, Inc.

v.

**THE HOME DEPOT U.S.A., INC., and
HOME DEPOT INCENTIVES, INC.**

Case No. 2:13-cv-8

ORDER OF DISMISSAL

Before the Court are the Joint Stipulations of Dismissal filed by Plaintiff Alexsam, Inc. (“Alexsam”) and Defendants The Home Depot U.S.A., Inc. and Home Depot Incentives, Inc. (“Home Depot”) (Doc. No. 212). Having considered the parties’ stipulations and finding good cause, the Court is of the opinion that the parties’ Joint Stipulations of Dismissal should be **GRANTED**.

It is therefore **ORDERED**:

1. All claims that were or could have been asserted by Alexsam against Home Depot in this action are dismissed with prejudice.

All counterclaims asserted by Home Depot in this action are dismissed without prejudice.

2. Alexsam shall bear its own attorneys’ fees and costs. Home Depot shall bear its own attorneys’ fees and costs, subject to the exceptions set forth in the parties’ Joint Stipulations of Dismissal.
3. The Court retains jurisdiction over Alexsam and Home Depot for purposes of enforcing the stipulations set forth in the parties’ Joint Stipulations of Dismissal.

4. The Clerk will enter an appropriate Final Judgment closing this action

It is SO ORDERED.

SIGNED this 17th day of October, 2013.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE